

**Document:** Notice of Rule Adoption, **Register Page Number:** 25 IR 1666

**Source:** February 1, 2002, Indiana Register, Volume 25, Number 5

**Disclaimer:** This document was created from the files used to produce the official (printed) Indiana Register.  
However, this document is unofficial.

**TITLE 405 OFFICE OF THE SECRETARY OF  
FAMILY AND SOCIAL SERVICES**

LSA Document #01-206(F)

Under IC 12-8-3-4.4, LSA Document #01-206, printed at 24 IR 4137, which amends 405 IAC 2-3-1.1 to specify the method for calculating the Medicaid eligibility penalty for transferring income. Specifies that when the right to a stream of income is transferred for less than fair market value, the penalty is calculated based on the projected total income expected to be transferred during the individual's lifetime. Specifies that a transfer of income includes, but is not limited to (1) transferring income-producing real property; and (2) accepting less than the fair market rental value when property is rented. Specifies that, for purposes of the Medicaid eligibility penalty for transferring assets for less than fair market value, "assets" includes any income or resources which the applicant or recipient or the applicant's or recipient's spouse is entitled to receive, but does not receive because of failure to take action to receive those assets. Repeals 405 IAC 2-3-1, was adopted by the Office of the Secretary of Family and Social Services on January 7, 2002. The rule which was adopted is a different version from the proposed rule which was published in the Indiana Register on September 1, 2001.